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Attorneys for Plaintiffs,

RICHARD FLIER and

PATRICIA FLIER

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RICHARD FLIER and PATRICIA
FLIER,

Plaintiffs,

vs.

FCA US, LLC; and DOES 1 through
10, inclusive,

Defendants.

Case No. 3:21-cv-02553-CRB

(Removed from Superior Court of
California, County of Contra Costa,
Case No. MSC20-02177)

*Assigned for All Purposes to the
Honorable Charles R. Breyer*

**JOINT STIPULATION TO AMEND
SCHEDULING ORDER**

State Court Complaint Filed:
April 14, 2020

Trial Date: TBD

TO THE HONORABLE COURT:

Plaintiffs RICHARD FLIER and PATRICIA FLIER (“Plaintiffs”) and Defendant FCA US, LLC (“FCA”) (collectively, the “Parties”), by and through their respective attorneys of record, hereby stipulate and agree to request that the Court amend the scheduling order as follows:

WHEREAS, the Court issued an Order granting the Parties’ stipulation to amend scheduling order on July 18, 2022, and setting the following deadlines:

Close of Fact Discovery by 10/24/2022;

Last day to serve initial expert report by 11/7/2022;

Last day to serve rebuttal expert report by 11/21/2022;

Close of expert discovery by 3/10/2023;

Joint Case Management Conference statement by 10/21/2022

Case Management Conference set for 10/28/2022 (since vacated);

WHEREAS, FCA set depositions of both Plaintiff Richard Flier and Patricia Flier for September 21, 2022;

WHEREAS, the deposition of Richard Flier was completed on September 21, 2022 but the deposition of Patricia Flier did not proceed;

WHEREAS, the Parties agreed to set the deposition of Patricia Flier on October 18, 2022;

WHEREAS, On October 13, 2022 Plaintiff informed FCA that due to an unforeseen conflict, Patricia Flier could no longer be produced for deposition on October 18, 2022;

WHEREAS, the Parties agreed to continue the deposition of Patricia Flier to December 1, 2022, and agreed to continue the cutoff date for completion of fact discovery and exchange of initial and rebuttal expert reports to accommodate the continued deposition;

WHEREAS, the Parties have been and continue to be diligent in conducting discovery,

WHEREAS, there is no trial date set, and the pleadings are still at issue given FCA's Motion for Judgment on the Pleadings, set to be heard on November 18, 2022;

The Parties have agreed to jointly stipulate to request the Court amend the scheduling order and continue the deadlines as follows:

Close of Fact Discovery as to the deposition of Patricia Flier only by
December 1, 2022;

Last day to serve Initial Expert report by December 29, 2022;

Last day to serve Rebuttal Expert report by January 18, 2022;

WHEREAS, the Parties agree that it is in their best interests, and that of the Court's judicial resources, to amend the Scheduling Order and continue deadlines so that the Parties have sufficient time to complete fact and expert discovery and prepare for trial,

NOW THEREFORE, IT IS HEREBY STIPULATED, and Counsel for the Parties do hereby jointly request and stipulate, to request that the Court amend the scheduling order and continue the deadlines as outlined above.

Dated: October 14, 2022 GORDON REES SCULLY MANSUKHANI, LLP

/s/ Greg Gruzman
Spencer P. Hugret
Hailey Rogerson
Greg Gruzman
Ali Azemoun
Attorneys for Defendant
FCA US LLC

Dated: October 14, 2022 STRATEGIC LEGAL PRACTICES, APC

/s/ Rebecca E. Neubauer
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RICHARD FLIER and
PATRICIA FLIER

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) Case No. 3:21-cv-02553-CRB
)

) ~~PROPOSED~~ ORDER GRANTING
) JOINT STIPULATION TO AMEND
) SCHEDULING ORDER

) Sup.Ct. Complaint: April 14, 2020
) Removal Date: April 8, 2021
) Judge: Charles R. Breyer
)
)

~~PROPOSED~~ ORDER

The Court, having considered the Joint Stipulation to Amend the Scheduling Order filed by the Parties, and upon finding that good cause exists, hereby ORDERS:

The Scheduling Order deadlines are amended as follows:

1. Close of Fact Discovery as to the deposition of Patricia Flier only by December 1, 2022;
2. Last day to serve Initial Expert report by December 29, 2022;
3. Last day to serve Rebuttal Expert report by January 18, 2022;

**PURSUANT TO STIPULATION,
IT IS SO ORDERED.**

Dated: October 17, 2022


HON. CHARLES R. BREYER
UNITED STATES DISTRICT COURT JUDGE